



# State of Maine Board of Corrections

State House Station #111  
Augusta, ME 04333-0111



## MEMBERS:

Neale Duffett\*  
Tom Brown  
Irving Faunce  
Martha Freeman  
George Jabar  
Tim King  
Martin Magnusson  
Scott Story  
\* Chair of the Board

## DEVELOPMENT PROGRAM MANAGER:

Kate Snyder

## DIRECTOR OF PRETRIAL DIVERSION & REENTRY:

Laura Rodas

## EXECUTIVE ASSOCIATES:

Kelene Barrows  
April Fortier

## CORRECTIONS WORKING GROUP:

Sheriff Todd Brackett\*  
Denise Lord\*  
Karla Black  
Bob Devlin  
Sheriff Mark Dion  
Scott Ferguson  
Ralph Nichols  
Michael LeVert  
Malory Shaughnessy  
Stephen Stanley  
\*Co-Chairs

## FOCUS GROUPS:

Budget  
Education  
Inventory of Needs  
Information Technology  
Medical  
Mental Health/Substance  
Abuse  
Pharmacy  
Pretrial/Diversion/Alternative  
Transportation  
Victim Services

September 1, 2010

To: Board of Corrections

From: Kate Snyder, Development Program Manager

Re: Board of Corrections Cloture for 1<sup>st</sup> Regular Session, 125<sup>th</sup> Legislature (2010)

A memo was sent to all Cabinet Members and Departmental Legislative Liaisons regarding Cloture for the First Regular Session of the 125<sup>th</sup> Legislature. In that memo, Kelly Arata, Legislative and Policy Coordinator explained that the Legislature shall convene the First Regular Session of the 125<sup>th</sup> Legislature on the first Wednesday in December following the November election. In order to prepare for the First Regular Session, the Legislative Council will meet after the general election to set the cloture deadline for legislators, departments and agencies. Joint Rule 204 sets forth the cloture deadline for departments and agencies as being February 4, 2011 or within 30 days after the newly elected Governor is sworn into office on the first Wednesday after the first Tuesday.

To this end, the Board of Corrections was asked to respond to a cloture deadline of August 5, 2010. The submission in response to this deadline is considered preliminary, draft and non-binding.

The request for submission at this point in time was a list that includes:

- Major Capital Needs
- Major Budget Items
- Possible Department Bills
- Any Revenue Raisers
- Possible Task Force Bills
- Other Major Issues

Please note that this response to deadline is draft. It was developed under time constraints with the input of the Chair of the Board of Corrections and the Co-Chairs of the Corrections Working Group. This is not the board's only opportunity to submit ideas and language. It is one part of an ongoing process that will help to prepare for the next steps. On September 9<sup>th</sup> I have a meeting with our policy advisor, Karla Black to review this submission and discuss the possible development of preliminary drafts of statutory language.

The attached draft submission was reviewed and approved by the Corrections Working Group.



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**To:** Kelly Arata, Legislative & Policy Coordinator

**cc:** Karla Black, Deputy Legal Counsel

**From:** Kate Snyder, Development Program Manager

**Date:** August 5, 2010

**Subject:** Board of Corrections Cloture for 1<sup>st</sup> Regular Season, 125<sup>th</sup> Legislature (2010)

Please see the Board of Corrections' submission, attached.

This is an initial submission, which has yet to be reviewed and approved by the Board of Corrections.

Please contact me at (207) 592-3515 if you have any questions or concerns.

## **BOARD OF CORRECTIONS PROPOSED LEGISLATION**

**Cloture for the 1<sup>st</sup> Regular Session, 125<sup>th</sup> Legislature (2010)**

### **Major Capital Needs**

None

### **Major Budget Items**

The board is preparing its biennial budget submission and recommendations.

### **Possible Board of Corrections Bills**

1. An Act to Implement the Recommendations of the Board of Corrections
  - a. Ensure compliance with board adopted Pretrial, Diversion & Reentry Standards:  
Compliance with pretrial, diversion and reentry standards will strengthen services and provide equity across the system.
  - b. Enhance the Board of Corrections' authority regarding contracts:  
In order to improve the Board of Corrections' ability to audit and oversee fiscal management at the county correctional facilities, and to manage and improve services within existing resources, the BOC may require that counties contract with vendors that comply with standards established by the board.
  - c. Establish Capital Reserve Strategy to Support Capital Needs Planning:  
County and regional correctional facilities have significant ongoing capital improvement projects. In order to plan for and manage associated costs, Capital Needs Plans for each correctional facility need to be developed and shared. In addition to General Fund assistance, revenue associated with retired county debt and fund balance residing within county correctional services budgets, additional financing strategies should be explored to fund capital projects.
  - d. Improve the Community Corrections Act (CCA):  
Improve the Community Corrections Act (CCA) to better accomplish the goals of that ACT and to allow the board to respond appropriately to changing revenue needs within the system and to ensure funding that supports programming, including pretrial.
  - e. Enhance Medical Services and Mental Health:  
Ensure compliance with board adopted standards that will strengthen services and provide equity across the system.



- f. Amend the statute regarding management and use of correctional services Fund Balances:  
Amend the statute regarding management and use of correctional services Fund Balances in order to ensure that all appropriate correctional services needs are met.
- g. Amend the statute regarding funds collected from community confinement monitoring:  
Amend the statute regarding funds collected from community confinement monitoring so that funds stay with county correctional services budgets.

### **Major Appointments**

- 1) One member a sitting sheriff selected from a list of 3 nominations submitted to the Governor by a statewide organization representing sheriffs.  
Expiration Date: September 3, 2010
- 2) One member broadly representative of the public and the geographical regions of the state.  
Expiration Date: September 3, 2010
- 3) One member a municipal official selected from a list of 3 nominations submitted to the Governor by a statewide organization representing elected and appointed municipal officers and officials.  
Expiration Date: September 3, 2009

### **Major Rule**

- 1. Major substantive: Change of Use, Downsizing or Closure of Correctional Facilities
- 2. Major substantive: Certificate of need for public or private capital Correctional construction projects

### **Task Force Reports**

None

Date of Submission: August 5, 2010